IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO. 844 of 2005

Between:

Suvvari Appanna S/o Sriramulu
Amadalavalasa Mandal, Srikakulam District

..... PETITIONER

AND

The District Collector, Srikakulam, Srikakulam District

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any Writ, order or direction particularly a Writ in the nature of Mandamus directing the respondent to probe into the irregularities and misusing the rice worth about 5 Lakhs released for the repairs of Dharmasagaram Ayukatta, Korlakota Village, Amadalavalasa Mandal, Srikakulam District, and take appropriate action thereafter within 4 weeks.

Counsel for the Petitioner: MR.B.M.PATRO

Counsel for the Respondent: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Writ of Mandamus to direct the respondent-District Collector to probe into the irregularities and misuse of rice worth about Rs. 5,00,000/- released under 'Food for Work' scheme for the repairs of Dharmasagaram Ayakatta, Korlakota village, Amadalavalasa Mandal, Srikakulam District and to take appropriate action.

The petitioner states that for effecting repairs to Dharmasagaram Ayakatta in Korlakota village, the Government released rice worth about Rs. 5,00,000/- under 'Food for Work' scheme, in August 2003. It is stated that only 10% of repair works have been completed, and the concerned officers such as Mandal Development Officer, Amadalavalasa Mandal, Panchayat Secretary, Korlakota village, Village Sarpanch and the Contractor to whom the repairs work was allotted, swallowed the entire rice worth about Rs. 5,00,000/- by misutilising and transporting the rice in illegal manner. The grievance of the petitioner is that though he and several villagers made a representation in the month of December 2003 to the respondent, followed by a telegram, no action has been taken so far. Hence the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue.

Though the petitioner contends that rice worth Rs.5,00,000/- was sanctioned under 'Food for Work' scheme for effecting repairs to Dharmasagaram Ayakatta, a reading of the affidavit, filed in support of the writ petition would disclose that on enquiry from the officials, he was informed that only rice worth Rs.1,30,000/- lakhs was

sanctioned. When the officials concerned, who are in-charge of the affairs of execution and effecting repairs to Dharmasagaram Ayakatta, have themselves stated that rice worth Rs.1,30,000/- only had been released under the 'Food for Work' scheme, certainly the work which requires rice worth Rs.5,00,000/- under 'Food for Work' scheme, would be incomplete, and merely because the repair works are incomplete, it cannot be said that the officials concerned and the Contractor had misutilized and diverted the rice, and more so when the officials themselves stated that only rice worth Rs.1,30,000/- was released, and as such, no direction as prayed for by the petitioner can be granted.

There is no merit in the writ petition, and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Date: 28th January, 2005.

KSR/NSR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Srikakulam, Srikakulam District

2. Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

3. 2 CD copies

*Form-NIC-OGS/WP{**TRT**}*